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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): van Oort et al.

App. No. 09/399,318

Filed: 09/20/1999

Conf. No. 2147

Title: Cardiac pacing system with improved physiological event classification and heart monitoring based on dsp

Docket No. P-7739.02

) Examiner: Kennedy Schaetzle

) Art Unit: 3762

) Certificate of Mailing or Transmission 37 CFR § 1.8

) I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the United States Patent and Trademark Office as indicated below, or being facsimile transmitted to the USPTO, on the date indicated below:

) 21 JAN 2003 (date).

) Eric R. Waldkoetter  
) Eric R. Waldkoetter

Box DAC  
Commissioner for Patents  
Washington, D.C. 20231  
Fax Petitions (703) 308-6916

**PETITION FOR REVIVAL OF UNINTENTIONALLY ABANDONED  
APPLICATION UNDER 37 C.F.R. § 1.137(b)**

Applicant respectfully petitions for revival of the above-captioned patent application that was unintentionally abandoned on 11/14/2001 as provided in a Notice of Abandonment mailed 03/13/2002 (copy attached).

A reply to the Notice Of Allowance and Issue Fee Due was due on 11/13/2001 and the last day of the statutory period was 11/13/2001. The required reply is attached to this petition. The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. A fee transmittal accompanies this petition to charge Deposit Account No. 13-2546 for Medtronic, Inc. the appropriate fee.

01/28/2003 CV0111 00000027 132546 09399318

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Recognizing that Internet communications are not secure, I hereby authorize the USPTO to communicate with me concerning any subject matter of this application by electronic mail at the address below. I understand that a copy of these communications will be made of record in the application file. M.P.E.P. § 502.03.

Respectfully submitted,

Date: 21 JAN 2003

Medtronic, Inc.

USPTO Customer No. 27581

710 Medtronic Parkway (MS-LC340)

Minneapolis, MN 55432-5604

*Attachments:*

- Notice of Abandonment;
- Issue Fee Transmittal; and,
- Corrected Drawings.

Eric R. Waldkoetter

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Attorney Reg. No. 36,713

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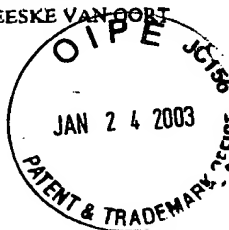
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/399,318	09/20/1999	GEESKE VAN GORT	P-7739-CIP	2147

7590 03/13/2002  
MEDTRONIC INC  
700 CENTRAL AVENUE NE  
MINNEAPOLIS, MN 55432

DOCKET



EXAMINER
SCHAETZLE, KENNEDY
ART UNIT
PAPER NUMBER

3762

PH8

*Date* *Art Unit* *Attorney*  
4-15-03 Notice of Abandonment EW DATE MAILED: 03/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

*late (due 2001)*  
*1 petition for renewal*

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FILED

MAR 25 2002

LAW DEPT.  
MEDTRONIC


**UNITED STATES DEPARTMENT OF COMMERCE**  
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 Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
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P#8

DATE MAILED:

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**NOTICE OF ABANDONMENT**

This application is abandoned in view of:

- ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on \_\_\_\_\_.
- ☐ A reply (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_, which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
- ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 to the final rejection.  
 (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
- ☐ No reply has been received.
- ☒ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
- ☐ The issue fee and publication fee, if applicable, was received on Nov 21, 2001 (with a Certificate of Mailing or Transmission dated 12-01-2001), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance.
- ☐ The submitted fee of \$ \_\_\_\_\_ is insufficient. A balance of \$ \_\_\_\_\_ is due.  
 The issue fee required by 37 CFR 1.18 is \$ \_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$ \_\_\_\_\_.
- ☐ The issue fee and publication fee, if applicable, has not been received.
- ☐ Applicant's failure to timely file new formal drawings as required by, and within the three-month period set in, the Notice of Allowability (PTOL-37).
- ☐ Proposed new formal drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
- ☐ The proposed new formal drawings filed on \_\_\_\_\_ are not acceptable and the period for reply has expired.
- ☐ No proposed new formal drawings have been received.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interferences rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below:

**ABANDONMENT**  
**CONTACT PERSON IS:**  
**TOM HAWKINS**  
**305-8380**

\*U.S. GPO: 2000-472-999/43202